

September 21, 1999
Senator Olympia Snowe
Senate Commerce Committee
Chair-Subcommittee on Oceans and Fisheries

Dear Senator Snowe:

Thank you for allowing me to testify before you today. I have tried to focus my testimony on positive changes to the act rather than supply you with more negative criticisms.

I will speak on four categories of concern each one playing into the next.

First I would like to focus on the issue of most concern to me: **Decentralization of power and authority.**

For 24 years we have wallowed in inadequate management. While the concept of the Magnuson Act has merit, the critical linkages and partnerships for effective management were never clearly established. Quite the contrary exists today. There are few, if any, relationships that have common goals or bonds beyond a handful of extraordinary individuals who try very hard to save the sinking ship. The analogy of what I see happening is the boat is sinking and the answer that NMFS has come up with is add more pumps rather than to stop and fix the structure. I believe it is time to haul out and fix the structure.

For the past 5 years, I have had the opportunity of a lifetime to work, theorize and put together a new organizational structure. We call our new organization Northwest Atlantic Marine Alliance. Our conceptual model and structure follow along the same basic organizational ideas as VISA, the premier instrument and structure that transfers monetary data worldwide. NAMA has had the distinct honor to have worked closely with Mr. Dee Hock the Founder and CEO Emeritus of VISA USA and International.

It was clear to many of us that a central government could not possibly manage the intricacies of the dynamic and diverse resources such as we have in the Gulf of Maine. It would take a group with great diversity and common purpose making decisions at a much more local level.

We watched as management plan after management plan was agonized over and implemented to the detriment of both the resource and the local communities. The

central authorities were suffering from information overload, power struggles and the lack of an overall strategy.

NAMA provides the foundation for localized, self-regulating and self-governing participation to take place. It clearly spells out in the by-laws the decentralization of power that moves away from a hierarchical command and control type of governance system to a system that promotes diversity, local decision-making and pure democracy. It promotes stewardship, community involvement and breeds strong local leadership. Decentralization and redistribution of authority can be dealt with by recognizing the appropriate level at which a decision needs to be made. When a decision can be made locally, the appropriate language needs to be crafted through the Magnuson Act that would allow local legal entities, associations and organizations to be recognized as legitimate partners and be granted authority to make decisions. NAMA provides for this through its by-laws. Community Alliances are the fundamental building block for NAMA. They are legal entities that have the ability to enter into contractual agreements with NAMA as an organization. They also establish their jurisdictional authority based on the extent of the diversity they can bring to the governance body.

We can no longer tolerate management plans that are crafted under threats of lawsuits or threats such as: if the council doesn't act the Secretary of Commerce will. Reality shows us that activities and fishing practices that take place in Stonington, Maine are clearly different than what happens in Portland, Maine let alone Gloucester and Cape Cod. How could anyone rationally conceive that Washington, DC could even attempt to create a blanket management plan for the region?

That thought leads me to my second issue: **Recognition and Promotion of, and partnerships with, legal industry organizations and associations for contractual agreements.**

Fishermen for decades have found themselves at the mercy of managers and political activists due to the fact that we are so damn independent. What few organizations we have exist on good leaders and next to no money. They act from crisis to crisis, rallying the troops when needed and shaking the trees for funds to cover expenses. One person compared association leadership to being a mercenary; we groom them, we send them in to be mauled and then we find another.

Recognition and promotion of, and partnerships with, organizations and associations would enable the industry to participate at an equal level. Promoting membership and participation within an organization would begin to unite the industry and set the stage for evolving to a level of professionalism we have long been missing.

United and strategically connected, industry groups would find it easier to discuss and debate the merits of management options. Better yet, the management options would originate and be implemented at the most local level. Government would find itself back at the position that I believe the Founding Fathers meant for it to be-Advisory to the people. The role of government should be to set the goals. Let the people craft the details.

My third issue is: **Promotion and funding of collaborative research and movement towards a real time data system.**

One of the greatest disconnects in fisheries management has to be between what government scientists are claiming and what commercial fishermen are seeing. Many of us believe that the current stock assessments, while they may be recognized as world class, leave a lot to be desired in the eyes of the fishermen who are out on the water daily. There are many who would go so far as to claim that fishery management science is a full year behind what is actually happening in the Gulf of Maine. The contentiousness between science and industry is a real travesty. We have come to rely on computer models over factual observations. I believe that we as an industry have been hurt far greater by management's lack of data than by any situation of having too much data. The bridges have been burned on both sides. Fishermen were told to supply good data only to have it used against them in courts of law. Fishermen in turn shade the truth to protect themselves thus providing inaccurate data with which managers must make decisions. It is like dog chasing its tail. The winner bites himself while the loser continues to be the fish.

With today's technology and some serious trust building, we could have a system that collects data every minute of every trip a boat was at sea. Once again, I point to NAMA and its participation in a project funded by the National Oceans Partnership Program. This project called "Fleetlink" could be the basic tool necessary to begin this real time data collection and dissemination. I would invite you to visit the project website at <http://lena.whoi.edu:8180>.

It is the foresight of scientists such as Ann Bucklin and Peter Weibe, who long ago recognized the invaluable source of knowledge and expertise that could be gained by partnering with commercial fishermen. I have had first hand experience working with these fine people by participating in a research project called "GLOBEC". Projects of this caliber need to be funded. It is the hope for the future. Fishermen must be recognized and placed on an equal footing when dealing with fisheries science. While many of us do not have DR in front or PHD after our name, we are no less experts in the field of locating, tracking and catching fish. We, on the other hand, need to step up to the plate as professionals. We must pay heed to scientific methods and procedures. NAMA believes that every fisherman who participates in collaborative research should be involved in the design, implementation and reporting of the project. This establishes the boundaries and partnerships that are needed as we continue to try and understand the marine ecosystem. The Magnuson Act must recognize the strength and potential of collaborative research and provide funding to establish the necessary protocols.

Finally, I would like to request that: **Language be developed which enables NMFS or any other agency to have the necessary tools to disburse appropriated funds.**

NAMA is proud to have been host of the Tri-State Conference where a plan to disburse \$5 million dollars in federal disaster relief funds was crafted and approved with consensus by fishing industry members from Maine, New Hampshire and Massachusetts. To date,

despite being announced by even the Vice President of the United States not one dollar has passed to the fishing industry. One major obstacle we encountered trying to get much needed aid to the fishing industry was the lack of tools that NMFS were given as an agency to disburse funds. The options that were available such as grants and competitive bids did not meet the needs of our plan. This must be addressed. There must be models that can be replicated from agriculture that meet the needs of the fishing industry. The time it has taken to move these funds is just shy of a crime.

I must take time to praise the participants of the Tri-State Conference for crafting a plan that can be considered an investment of \$5 million dollars by the federal government into the fishing industry. The industry was very strategic in crafting a plan that was not in any way to be perceived as a welfare plan. We are quite confident that this plan can and will be used as a model for future investment. But this is only a dream unless language can be added to the act that allows for a more streamlined system of distribution. I would also like to thank the many staff members, from both political parties, from the senate and the house and including state and local leaders. Without their support, guidance and encouragement this plan would have never happened.

I hope my comments were helpful. At the very least, they are meant to stimulate thoughts on how we might set common goals and find new innovative ways of dealing with crisis and controversy. It has been an honor and a privilege to speak today. Thank you.

Respectfully submitted,

Craig A. Pendleton
Coordinating Director